

FOX ROTHSCHILD LLP
Princeton Pike Corporate Center
997 Lenox Drive – Building 3
Lawrenceville, New Jersey 08648-2311
(609) 896-3600

Attorneys for Defendants, Fidelity National
Title Insurance Co. of New York and Nations
Title Insurance of New York, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT, LTD., a/k/a
G.J.L. LIMITED; DEK HOMES OF NEW JERSEY, INC.;
OAKWOOD PROPERTIES, INC.; NATIONAL HOME
FUNDING, INC.; CAPITAL ASSETS PROPERTY
MANAGEMENT & INVESTMENT CO., INC.; CAPITAL
ASSETS PROPERTY MANAGEMENT, LLC; WILLIAM
KANE; GARY GRIESER; ROBERT SKOWRENSKI, II;
RICHARD CALANNI; RICHARD DiBENEDETTO;
JAMES R. BROWN; THOMAS BRODO; ROLAND
PIERSON; STANLEY YACKER, ESQ.; MICHAEL
ALFIERI, ESQ.; RICHARD PEPSNY, ESQ.; ANTHONY
M. CICALESSE, ESQ.; LAWRENCE CUZZI; ANTHONY
D'APOLITO; DAP CONSULTING, INC.;
COMMONWEALTH LAND TITLE INSURANCE CO.;
NATIONS TITLE INSURANCE OF NEW YORK, INC.;
FIDELITY NATIONAL TITLE INSURANCE CO. OF
NEW YORK; COASTAL TITLE AGENCY; STEWART
TITLE GUARANTY COMPANY; IRENE DiFEO;
DONNA PEPSNY; WEICHERT REALTORS; and
VECCHIO REALTY, INC., d/b/a MURPHY REALTY
BETTER HOMES AND GARDENS,

Defendants.

:
:
: Judge Dickinson R. Debevoise
: Magistrate Judge Michael A. Shipp
:

: No. 97-3496 (DRD)(MAS)

: **NOTICE OF JOINDER IN**
: **COMMONWEALTH LAND**
: **TITLE INSURANCE COMPANY'S**
: **MOTION FOR PARTIAL**
: **SUMMARY JUDGMENT ON**
: **MERGER/DIMINUTION IN**
: **VALUE CLAIM**

To: Robert A. Magnanini, Esq.
Stone Magnanini, LLP
150 John F. Kennedy
Short Hills, NJ 07078

PLEASE TAKE NOTICE that Defendants, Fidelity National Title Insurance Co. of New York and Nations Title Insurance of New York, Inc. (collectively, “Fidelity”) hereby joins in the Motion filed by Commonwealth Land Title Insurance Company for partial summary judgment dismissing Plaintiff Walsh Securities, Inc.’s claims for damages resulting from loss of merger and for Plaintiff’s own diminution in value.

PLEASE TAKE NOTICE that Fidelity adopts the arguments set forth in the documents filed in support thereof.

PLEASE TAKE NOTICE that this Notice of Joinder is submitted pursuant to the deadline for filing motions for summary judgment as set forth in the July 19, 2011 Amended Scheduling Order [document 458].

Fidelity respectfully requests that the Court enter the proposed form of Orders submitted by Commonwealth Land Title Insurance Company and/or the form of Orders submitted with this Notice.

s/David H. Colvin, Esquire
Edward J. Hayes, Esquire
David H. Colvin, Esquire

Fox Rothschild LLP
2000 Market Street, Twentieth Floor
Philadelphia, PA 19103
(215) 299-2092
(215) 299-2150 (facsimile)

Attorneys for Defendants, Fidelity National Title
Insurance Co. of New York and Nations
Title Insurance of New York, Inc.

Dated: November 10, 2011